



# DAVID J. GLATTHORN CIVIL TRIAL LAWYER

AGGRESSIVE, ETHICAL REPRESENTATION FOR OVER 30 YEARS

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## The Basics of Contingent Fees

In personal injury cases, most attorneys work on a “contingent fee” basis. In this scenario, you agree to pay your attorney a percentage of your award if you are victorious instead of an hourly rate. There are no up-front fees required to hire an attorney.

If your attorney wins your case, the contingent fee is typically in the range of 33–40 percent of the amount recovered. If you lose your case, your attorney does not get paid—no award, no contingent fee. The contingent fee frequently does not include charges for court filings, deposing witnesses, making copies of medical records, and so forth. Those costs will come out of the recovery amount if you are successful. If you lose the case, you may be responsible for those charges.

There are differences in contingent-fee arrangements from attorney to attorney. One big one is whether your attorney deducts the costs and expenses from your recovery amount before or after he/she is paid the contingent-fee percentage. This point is often negotiable.

Some contingent-fee agreements will operate under a graduated percentage contract. Legal work that's more involved (e.g., filing a lawsuit and prepping for trial) will garner a higher contingent-fee percentage. The contingent-fee percentage may be lower if a case is settled prior to filing a lawsuit.

Contingent-fee arrangements eliminate up-front charges for the client; there are no mounting legal bills as a case winds through the legal system; lower-income people are afforded greater access to the legal system to pursue compensation for injury; and attorneys are highly motivated to win their cases...they don't get paid otherwise. ●





# Keep Swimming Pool Season Fun and Safe

A refreshing dip in the pool is a good antidote for hot summer weather. But potential hazards could be lurking, and pool owners may be liable.

According to the federal government, drowning is the second-leading cause of unintentional injury-related death for children ages 1– 14. And for every drowning, four other kids require ER care for nonfatal submersion injuries.

A pool owner has a duty to keep their pool well maintained to cut back on the chance of injuries, and to alert patrons or guests to potential dangers that might not be obvious to the average person.

Owners of public and private pools are responsible for properly securing drains, which can cause severe injuries; maintaining ladders, diving boards, and slides; and mixing pool chemicals appropriately. Electrical defects, unsafe pool toys, and lack of supervision or safety equipment are potential liability issues as well.

Pool owners generally don't owe trespassers a duty of care, with one major exception: young children who don't understand the danger of drowning. In most states, owners are obligated to prevent access to their pools by means of proper fencing, locked gates, and pool safety covers, as a pool is considered "attractive" to young children ("attractive nuisance doctrine").

Manufacturers, sellers, or installers of pools or pool fixtures might also be liable for injuries caused by pool usage.

If you have a pool on your property, take the proper steps to avoid premises liability issues. If you or a family member has been injured at a pool due to negligence, contact a premises liability attorney to protect your rights. •

## June 2018 Important Dates

**June 6** – D-Day    **June 14** – Flag Day    **June 14** – First day of FIFA World Cup

**June 17** – Father's Day    **June 21** – First day of summer    **June 30** – Armed Forces Day



## Juuling a Growing Trend Among Teens

E-cigarettes are intended for adult usage, but they are extremely appealing to teens. The cartridges' liquid nicotine comes in unique flavors, such as mint, mango, and cucumber, among others; the decal covers come in colorful designs; the device can be easily recharged on a laptop; and the e-cig supplies a "head rush" that many teens crave.

Recently, the Juul (manufactured by Juul Labs) has become the go-to vaping product among many teenage vapers, and its use is frustrating school teachers and administrators across the nation. Juuls look like USB flash drives, making them inconspicuous; the fruity, sweet odors they emit can pass as lotions or body sprays; and kids can easily exhale the vapor inside a shirt or sweater or into a backpack unnoticed...during class.



Juuling is more harmful to kids than adults. Kids' brains are still developing, making them more susceptible to addiction. And Juuls pack a punch; nicotine concentrations can be up to almost twice that of other vaping products. Juuling can affect teens' behavior, memory, concentration, and ability to learn. In addition, adolescents who juul are twice as likely to suffer respiratory ailments as those who don't, and are more predisposed to taking up traditional cigarette smoking.

Although there are age requirements for purchasing Juul products, underage teens are resourceful—where there's a will, there's a way.

Signs of juuling that parents can watch for include increased thirst (the vapors can cause dry mouth), a new sensitivity to caffeine, and nosebleeds. As with many situations, good parent-child communication is a major tool to warding off the ill effects of juuling. •

# Summer Berry Slab Pie

## INGREDIENTS

1 box refrigerated pie crusts, softened as directed on box  
2 containers (6 oz each) plain yogurt  
2 packages (3 oz each) cream cheese, softened  
3 cups sliced fresh strawberries  
1 1/2 cups fresh blueberries  
1 1/2 cups fresh raspberries  
1 cup strawberry glaze

## DIRECTIONS

- Heat oven to 450°F. Unroll pie crusts and stack one on top of the other on lightly floured surface. Roll to 17 x 12-inch rectangle. Fit crust into 15 x 10 x 1-inch pan, pressing into corners. Fold extra crust under, even with edges of pan; crimp edges. Prick bottom and sides of crust with fork.
- Bake 10 to 12 minutes or until golden brown. Cool completely on cooling rack.
- In medium bowl, beat yogurt and cream cheese with electric mixer on medium speed until smooth. Spoon into cooled baked crust. Refrigerate about 1 hour or until set.
- In large bowl, toss berries and strawberry glaze. Spoon berry mixture over cream cheese layer. Store in refrigerator.

Courtesy: Pillsbury.com •



Photo: pillsbury.com/recipes/fresh-berry-slab-pie

# Coconut Oil. Where have you been all my life?



**Coconut oil**, also known as **copra oil**, is an edible oil that derives from the kernel or meat of coconuts. It has a wide range of uses that has Americans wishing they had known the benefits sooner. This is largely due to its ability to boast antiviral, antibacterial, and antifungal properties and lack of added potentially harmful chemicals. In addition to being a super food, users swear by it for everything from health & wellness to a diverse beauty product.

Ironically, the rise in popularity of coconut oil may have been impeded by our country's own health initiative. Back in the 1970's, in an effort to address a growing epidemic of obesity and heart disease, Americans were advised to replace our diets that consisted of red meats, full-fat dairy and eggs with a new, 'healthier' diet containing low-fat foods. With its 90% fat content, coconut oil was not making its way into many Americans homes or lifestyles.

Today, coconut oil has grown in popularity in the US. Its naturally occurring, non-hydrogenated fats, has quickly been dubbed a "miracle oil" for its healing, anti-inflammatory properties, and its metabolism-boosting benefits. According to the US Department of Agriculture, the coconut oil industry has had an impressive 33% increase in production worldwide from 2005-2010.

There are multiple extraction processes that make for different varieties of coconut oil. The most popular and superior variety is an unrefined, organic, virgin coconut oil, which is made from the first pressing of fresh, raw coconut using mechanical means without the addition of any chemicals. •

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This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

## Common Causes of Wrongful Death

Wrongful deaths—those that are caused by the negligence or misconduct of another party—are more common than a lot of people think. For instance, it's estimated that medical malpractice alone may be responsible for nearly 100,000 deaths annually.

While some wrongful deaths occur instantaneously as a result of a fatal injury, other deaths can take a long time to happen—sometimes many months or even years—from serious injuries such as traumatic brain injuries, internal bleeding or spinal injuries.

Some of the most common causes of wrongful death include:

- Car accidents
- Medical malpractice, such as serious surgical errors or medication errors. Other examples of medical malpractice can include misdiagnosis, failure to diagnose or a delayed diagnosis.
- Defective products, especially in cases in which medical products are involved.
- Dangerous drugs or drug interactions.
- Workplace injuries, especially at construction or manufacturing sites.
- Slip and fall premises liability injuries.

No matter what the cause or how long the wrongful death took to occur, surviving family members (such as a spouse or children – including adopted children) or, in some states, life partners or even distant family members, have the right to sue for wrongful death and recover compensation for damages they have suffered. •

